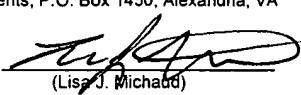




I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 1, 2005

Signature:   
(Lisa J. Michaud)

Docket No.: 101896-0206

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: L. M. McKinley

Application No.: 10/664,288

Confirmation No.: 4546

Filed: September 17, 2003

Art Unit: 3738

For: ROD APPROXIMATOR

Examiner: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Copies of the U.S. references on the PTO/SB/08 are not provided. A copy of the foreign reference cited on the PTO/SB08 is enclosed herewith.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-0206.

Dated: August 1, 2005

Respectfully submitted,

By 

Lisa J. Michaud

Registration No.: 44,238

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2000

(617) 310-9000 (Fax)

Attorney for Applicant

1450431.1



PTO/SB/08a/b (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/664,288-Conf. #4546
				Filing Date	September 17, 2003
				First Named Inventor	L. M. McKinley
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	101896-0206

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	US-6,123,707-B1	09-26-2000	Wagner		
AB	US-5,782,831-B1	07-21-1998	Sherman et al.		
AC	US-5,020,519-B1	06-04-1991	Hayes et al.		
AD	US-6,743,231	06-01-2004	Eric Gray		
AE	US-6,648,888	11-18-2003	Alan Shluzas		
AF	US-5,364,397	11-15-1994	S. Kyle Hayes		
AG	US-20030028195-A1	02-06-2003	Stephane Bette		
AH	US-6,790,209-A1	01-09-2003	Beale et al.		
AI	US-6,660,006-A1	10-23-2003	Markworth et al.		
AJ	US-6,726,692-A1	02-06-2003	Bette		
AK	US-5,545,165	08-13-1996	Biedermann et al.		
AL	US-20030225408-A1	12-04-2003	David Nichols		
AM	US-6,511,484-A1	01-02-2003	Ian Torode		
AN	US-6,746,449	06-08-2004	Robert Jones		
AO	US-2002/0095153-A1	07-18-2002	Jones et al.		
AP	US-5,720,751-B1	02-24-1998	Jackson		
AQ	US-5,910,141-B1	06-08-1999	Morrison et al.		
AR	US-6,183,472-B1	02-06-2001	Lutz		
AS	US-6,440,133-B1	08-27-2002	Beale et al.		
AT	US-6,251,112-B1	06-26-2001	Jackson		
AU	US-5,484,440-B1	01-16-1996	Allard		
AV	US-20010029376-A1	10-11-2001	Sater et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	DE-4238339		05-19-1994	Peter Brehm	<input checked="" type="checkbox"/> T <sup>6</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			<input checked="" type="checkbox"/> T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------